1 JENKINS MULLIGAN & GABRIEL L.L.P. Daniel J. Mulligan [SBN: 103129] dan@jmglawoffices.com 2 Larry W. Gabriel [SBN: 68329] lgabriel@jmglawoffices.com 3 Thomas A. Jenkins [SBN: 92213] tom@jmglawoffices.com 4 660 Market Street, Third Floor San Francisco CA 94104 5 Tel: (415) 982-8500 6 Fax: (415) 982-8515 Attorneys for Plaintiffs 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 11 FLETCHER HARTWELL HYLER and Case No.: 07-CV-03180 WHA SHERYL ROOT HYLER, 12 Plaintiffs. 13 ORDER TO SHOW CAUSE RE 14 VS. PRELIMINARY INJUNCTION AND INVESTMENT GRADE LOANS, INC., TEMPORARY RESTRAINING ORDER 15 et.al.. 16 Defendants. 17 18 Upon considering the Declaration of Fletcher Hartwell Hyler, the Declaration of 19 Daniel J. Mulligan and the Memorandum of Points and Authorities submitted by plaintiffs 20 herein, and it appearing to the satisfaction of the Court that this is a proper case for issuance 21 of an order to show cause and temporary restraining order, and that, unless the temporary 22 restraining order prayed for be granted, immediate and irreparable loss, damage or injury 23 will result to plaintiffs before the matter can be heard on notice, 24 IT IS HEREBY ORDERED that the above-named defendants, and each of them, 25 appear in Courtroom 9 of this Court, located at 450 Golden Gate Avenue, San Francisco, 26 at $^{2:00}$ p.m., or as soon thereafter as the matter may be heard, then and California, on August 1 27 there to show cause, if any they have, why they, and each of them, and their agents, 28

employees, successors, attorneys and all persons in active concert and participation with

them, should not be enjoined and restrained during the pendency of this action from engaging in, committing or performing, directly or indirectly, selling or attempting to sell or causing to be sold the real property at 5070 Alpine Road, Portola Valley, California, either under a power of sale contained in a deed of trust or by a judicial foreclosure action.

IT IS FURTHER ORDERED that, pending the hearing and determination of the order to show cause, the above-named defendants, and each of them, and their agents, employees, successors, attorneys and all persons in active concert and participation with them, shall be, and they hereby are, enjoined and restrained during the pendency of this action from engaging in, committing or performing, directly or indirectly, selling or attempting to sell or causing to be sold the real property at 5070 Alpine Road, Portola Valley, California, either under a power of sale contained in a deed of trust or by a judicial foreclosure action.

Date: _July 17, 2007 ___.

HON. MARY THATEL

Judge of the United States District Court

(General Duty Judge)

Hon. William Alsup